

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE WAVE STUDIO, LLC,

Plaintiff,

-against-

GENERAL HOTEL MANAGEMENT,
LTD., *et al.*,

ORDER

13-CV-9239 (CS) (PED)

Defendant.

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This order also pertains to the following cases that are consolidated with the above-captioned case:

The Wave Studio LLC v. American Express Company, 15-CV-3420

The Wave Studio LLC v. Visa, Inc., 15-CV-4953

The Wave Studio LLC v. United Airlines, Inc., 15-CV-5392

The Wave Studio LLC v. Virgin America, Inc., *et al.*, 15-CV-5960

The Wave Studio LLC v. AOL Inc., *et al.*, 15-CV-5962

The Wave Studio LLC v. Amadeus North America, Inc., *et al.*, 15-CV-6995

The Wave Studio LLC v. British Airways, P.L.C., *et al.*, 15-CV-7950

The Wave Studio LLC v. Groupon, Inc., *et al.*, 17-CV-3589

Seibel, J.

The above-listed consolidated cases (the “consolidated cases”) were stayed pending the outcome of the lead case, No. 13-CV-9239. By Opinion and Order dated March 10, 2017, (Doc. 209), I granted the summary judgment motion of Defendant General Hotel Management, Ltd. (“GHM”) and dismissed Plaintiff’s claims against it on *forum non conveniens* grounds. At that time I severed Plaintiff’s claims against GHM to facilitate their dismissal, and maintained the stay of Plaintiff’s claims against the Defendants other than GHM, as well as any cross-claims against GHM, pending resolution of Plaintiff’s claims against GHM in Singapore. The Second Circuit affirmed that decision by summary order on February 26, 2018. (Doc. 239.) At the Court’s

request, (Doc. 238), the parties provided their positions as to what should happen to the non-GHM Defendants in 13-CV-9239 and the Defendants in the consolidated cases, (Docs. 240-46, 248-52).

Having considered the parties' suggestions, I hereby ORDER that the stay as to the non-GHM Defendants in 13-CV-9239 and the Defendants in the consolidated cases shall be maintained, except that the claims against all such Defendants will be dismissed with prejudice if Plaintiff has not commenced an action to prosecute its claims against GHM in Singapore by June 25, 2018. Counsel for Plaintiff is to advise the Court promptly if such an action is commenced.

Because all presently contemplated proceedings in 13-CV-9239 and the consolidated cases have been completed, and no further proceedings are expected in the near future, there is no reason to maintain those cases as open for statistical purposes. The Clerk of Court is therefore directed to complete a statistical closing report for 13-CV-9239 and the consolidated cases. Nothing contained in this paragraph shall be considered a dismissal or disposition of any such matter, and should further proceedings become necessary or desirable, any party may initiate such proceedings in the same manner as if this paragraph were not contained in this Order.

Dated: April 25, 2018
White Plains, New York



CATHY SEIBEL, U.S.D.J.